

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: APRIL L. LARUE and	:	CHAPTER 13
BRENT A. LARUE	:	
Debtor(s)	:	
	:	
CHARLES J. DEHART, III	:	
STANDING CHAPTER 13 TRUSTEE	:	
Movant	:	
	:	
vs.	:	
	:	
APRIL L. LARUE and	:	
BRENT A. LARUE	:	
Respondent(s)	:	CASE NO. 1-17-bk-04525

TRUSTEE’S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 9th day of April, 2019, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)’ plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required. More specifically,

Trustee alleges and avers that debtor(s)’ disposable income is greater than that which is committed to the plan based upon disposable income on Schedules I and J and specifically disputes the following amounts:

- a. Electricity, heat, natural gas – verification.
- b. Telephone, cell phone, internet, satellite and cable.

2. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(b)(3) in that the debtor(s) attempts to cure a default outside of the plan. Said cure of default is only permissible, by means of, and therefore under, the Chapter 13 Plan. (MD Agreement)

3. Trustee avers that debtor(s)’ plan is not feasible and cannot be administered due to the lack of the following:

- a. Paystub for month ending April, 2019.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

Charles J. DeHart, III  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
(717) 566-6097

BY: /s/James K. Jones  
Attorney for Trustee

#### CERTIFICATE OF SERVICE

AND NOW, this 9th day of April, 2019, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Sara Austin, Esquire  
226 E. Market Street, Ste 2  
York, PA 17403

/s/Deborah A. Behney  
Office of Charles J. DeHart, III  
Standing Chapter 13 Trustee